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TRANSMITTAL FORM

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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/838,652	
	Filing Date	04/19/2001	
	First Named Inventor	David Kyle	
	Art Unit	2152	
	Examiner Name	Trong Nguyen	
Total Number of Pages in This Submission	3	Attorney Docket Number	TT4390

ENCLOSURES (Check all that apply)			
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Notification of Non-Compliant Appeal Brief; Return Postcard	
Remarks			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm Name	Winstead Sechrest & Minick, P.C.
Signature	
Printed name	Robert A. Voigt, Jr.
Date	05/03/2006
	Reg. No. 47,159

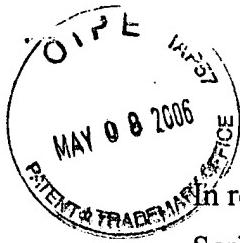
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Toni Stanley	Date	05/03/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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- 1 -

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kyle et al.
Serial No.: 09/838,652
Filed: April 19, 2001
Group Art Unit: 2152
Before the Examiner: Nguyen, Trong
Title: DETERMINING LOGON STATUS IN A BROADBAND
NETWORK SYSTEM AND AUTOMATICALLY
RESTORING LOGON CONNECTIVITY

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

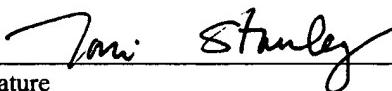
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief having a mailing date of April 4, 2006, with a time for response set to expire on May 4, 2006, Appellants respond as follows:

CERTIFICATION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence (along with any item referred to as being enclosed herewith) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 5-3 2006.



Signature

Toni Stanley
(Printed name of person certifying)

The Examiner asserts that Appellants' Second Appeal Brief contains the incorrect date for the mailing of the final office action as indicated in section IV. Appellants have amended the Second Appeal Brief (referred to as the "Amended Second Appeal Brief") by changing the indicated year of the final office action from 2004 to 2005. Accordingly, Appellants respectfully assert that the Amended Second Appeal Brief is in compliance and respectfully request the Examiner to withdraw the notice of non-compliance.

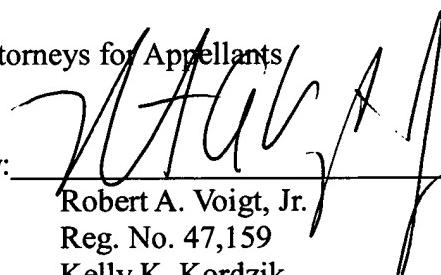
It is noted that the Amended Second Appeal Brief has been filed with the Board of Patent Appeals and Interferences.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

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